

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS

IN RE:) BANKRUPTCY CASE
)
ALI SARICA,) NO.: 17-83037
)
Debtor.) CHAPTER 13
)
) JUDGE: THOMAS M. LYNCH

NOTICE OF MOTION

TO: See attached list

PLEASE TAKE NOTICE THAT that on December 3, 2020, at 9:00a.m., I will appear before the Honorable Thomas M. Lynch, or any judge sitting in that judge's place, and present the motion of PennyMac Loan Services, LLC for Relief from Automatic Stay and Co-Debtor Stay, a copy of which is attached.

This motion will be presented and heard electronically using Zoom for Government. No personal appearance in court is necessary or permitted. To appear and be heard on the motion, you must do the following:

To appear by video, use this link: <https://www.zoomgov.com>. Then enter the meeting ID and password.

To appear by telephone, call Zoom for Government at 1-669-254-5252 or 1-646-828-7666. Then enter the meeting ID and password.

Meeting ID and password. The meeting ID for this hearing is **160 291 5226** and the password is **852255**. The meeting ID and password can also be found on Judge Lynch's webpage on the court's website, <https://www.ilnb.uscourts.gov/content/judge-thomas-m-lynch>.

If you object to this motion and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the motion in advance without a hearing.

I, the undersigned Attorney, certify that I served a copy of this notice and the attached motion on each entity shown on the attached list at the address shown and by the method indicated on the list on November 16, 2020, at 5:00p.m.

McCalla Raymer Leibert Pierce, LLC

/s/Kinnera Bhoopal

Kinnera Bhoopal
ARDC# 6295897
1 N. Dearborn Suite 1200
Chicago, IL 60602
(312) 346-9088

SERVICE LIST

To Trustee:
Lydia Meyer
P.O. Box 14127
Rockford, IL 61105

by Electronic Notice through ECF

To U.S. Trustee:
Patrick S Layng
Office of the U.S. Trustee, Region 11
780 Regent St.
Suite 304
Madison, WI 53715

by Electronic Notice through ECF

To Debtor:
Ali Sarica
8974 Clinnin Lane
Huntley, IL 60142

Served via U.S. Mail

To Co-Debtor:
Melis Sarica
8974 Clinnin Ln
Huntley, IL 60142

Served via U.S. Mail

To Attorney:
Timothy Brown
Law Office of Timothy Brown
1520 Carlemont Drive, Suite M
Crystal Lake, IL 60014

by Electronic Notice through ECF

McCalla Raymer Leibert Pierce, LLC
Attorney For: Creditor
1 N. Dearborn Suite 1200
Chicago, IL 60602
(312) 346-9088

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS

IN RE:) BANKRUPTCY CASE
)
ALI SARICA,) NO.: 17-83037
)
Debtor.) CHAPTER 13
)
) JUDGE: THOMAS M. LYNCH
)

**MOTION TO MODIFY THE AUTOMATIC STAY AND CO-DEBTOR
STAY**

NOW COMES PennyMac Loan Services, LLC by and through its attorneys, McCalla Raymer Leibert Pierce, LLC, and requests that the Automatic Stay and Co-Debtor Stay heretofore entered on the property located at 8974 Clinnin Ln, Huntley, Illinois 60142 be Modified stating as follows:

1. On December 30, 2017, the above captioned Chapter 13 was filed.
2. On May 3, 2018, the above captioned Chapter 13 was confirmed.
3. PennyMac Loan Services, LLC services the first mortgage lien on the property located at 8974 Clinnin Ln, Huntley, Illinois 60142.
4. The Plan calls for the Debtor to be the disbursing agent for the post-petition mortgage payments directly to PennyMac Loan Services, LLC. Current post-petition payments are \$2,510.61.
5. The post-petition mortgage payments are due and owing for July 1, 2020. The default to PennyMac Loan Services, LLC is approximately \$10,079.06 through November 2020, including a suspense of \$2,473.99.
6. Attorney's fees and costs for this motion are due in the amount of \$1,031.00.

7. The plan is in material default.
8. PennyMac Loan Services, LLC also seeks to modify the stay as to co-debtor Melis Sarica pursuant to 11 U.S.C. §1301(a).
9. PennyMac Loan Services, LLC continues to be injured each day it remains bound by the Automatic Stay.
10. PennyMac Loan Services, LLC is not adequately protected.
11. The property located at 8974 Clinnin Ln, Huntley, Illinois 60142 is not necessary for the Debtor's reorganization.
12. No cause exists to delay the enforcement and implementation of relief and Bankruptcy Rule 4001(A)(3) should be waived.

WHEREFORE, YOUR MOVANT respectfully prays that the Automatic Stay and Co-Debtor Stay on the property located at 8974 Clinnin Ln, Huntley, Illinois 60142, be modified and that Bankruptcy Rule 4001(a)(3) be waived as not applicable, and leave be granted to PennyMac Loan Services, LLC to proceed with non-bankruptcy remedies including foreclosure, and for such other and further relief as this Honorable Court deems just.

McCalla Raymer Leibert Pierce, LLC

By: /s/Kinnera Bhoopal

Kinnera Bhoopal

Illinois Bar No. 6295897

Attorney for Creditor

1 N. Dearborn Suite 1200

Chicago, IL 60602

Phone: (312) 346-9088

Fax: (312) 551-4400

Email: ILpleadings@mrpllc.com